

**IN THE CLAIMS**

**Please amend the claims as follows:**

Claim 1-3 (Canceled).

Claim 4 (New): A radio control device for controlling a plurality of base stations, comprising:

a plurality of channelization code selection means for sequentially selecting a channelization code for a mobile station from a first set of channelization codes or a second set of channelization codes, one of said channelization code selection means associated with a respective one of a plurality of frequency bands;

determination means for determining whether to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful; and

control means for controlling the plurality of channelization code selection means to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful.

Claim 5 (New): The radio control device according to claim 4, wherein each frequency band is associated with a plurality of channelization code trees generated by OVSF (Orthogonal Variable Spreading Factor), and

the first set of codes is a first code tree and the second set of codes is a second code tree.

Claim 6 (New): The radio control device according to claim 4, wherein the plurality of frequency bands are each assigned to a respective cell.

Claim 7 (New): The radio control device according to claim 4, wherein the plurality of frequency bands are each assigned to a respective sector.

Claim 8 (New): The radio control device according to claim 6, wherein at least two cells overlap in space.

Claim 9 (New): The radio control device according to claim 4, wherein the first set of channelization codes is a set of primary codes and the second set of channelization codes is a set of secondary codes.

Claim 10 (New): A method of selecting a channelization code, comprising:  
sequentially selecting a channelization code for a mobile station from a first set of channelization codes, each sequential selection thereof associated with a respective one of a plurality of frequency bands;  
determining whether to select a channelization code from a second set of channelization codes if selection from the first set of channelization codes was not successful;  
and  
selecting a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful; and  
assigning a selected channelization code to a mobile station.

Claim 11 (New): A radio control device configured to control a plurality of base stations, comprising:

a plurality of channelization code selection units configured to sequentially select a channelization code for a mobile station from a first set of channelization codes or a second set of channelization codes, one of said channelization code selection units associated with a respective one of a plurality of frequency bands;

a determination unit configured to determine whether to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful; and

a control unit configured to control the plurality of channelization code selection units to select a channelization code from the second set of channelization codes if selection from the first set of channelization codes was not successful.

Claim 12 (New): The radio control device according to claim 10, wherein each frequency band is associated with a plurality of channelization code trees generated by OVSF (Orthogonal Variable Spreading Factor), wherein

the first set of codes is a first code tree and the second set of codes is a second code tree.

Claim 13 (New): The radio control device according to claim 10, wherein the plurality of frequency bands are comprised of a plurality of cells.

Claim 14 (New): The radio control device according to claim 10, wherein the plurality of frequency bands are comprised of a plurality of sectors.

Claim 15 (New): The radio control device according to claim 13, wherein at least two of the cells overlap in space.

Claim 16 (New): The radio control device according to claim 10, wherein the first set of channelization codes is a set of primary codes and the second set of channelization codes is a set of secondary codes.